



Entered on Docket
May 18, 2009

A handwritten signature in black ink, appearing to read "R. B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

James I. Stang (CA Bar No. 94435)
Werner Disse (CA Bar No. 143458)
Shirley S. Cho (CA Bar No. 192616)
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Blvd., 11th Floor
Los Angeles, California 90067-4100
Telephone: 310/277-6910
Facsimile: 310/201-0760
Email: jstang@pszjlaw.com
scho@pszjlaw.com
wdisse@pszjlaw.com

Zachariah Larson, Esq. (NV Bar No. 7787)
LARSON & STEPHENS
810 S. Casino Center Blvd., Ste. 104
Las Vegas, NV 89101
Telephone: 702/382.1170
Facsimile: 702/382.1169
Email: zlarson@lslawnv.com

[Proposed] Attorneys for Debtors and
Debtors in Possession

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

Case No.: BK-S-09-14814-LBR
(Jointly Administered)

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No.

1 THE RHODES COMPANIES, LLC, aka
 2 "Rhodes Homes," et al.¹

3 Debtors.

4 Chapter 11

5 Affects:

- 6 All Debtors
 7 Affects the following Debtor(s):
 Heritage Land Company, LLC; Tuscany
 Acquisitions, LLC; Parcel 20, LLC; Rhodes
 Realty, Inc.; Rhodes Design & Development
 Corporation; Rhodes Ranch GP; Tuscany Golf
 Country Club LLC

8 Hearing Date: May 15, 2009
 9 Hearing Time: 1:30 p.m.
 Courtroom 1

10 **ORDER GRANTING DEBTORS' MOTION PURSUANT TO SECTIONS 105(A), 363(B)
 11 AND 507(A)(8) OF THE BANKRUPTCY CODE AUTHORIZING PAYMENT OF
 12 CERTAIN PREPETITION SALES, USE, BUSINESS, AND PERSONAL TAXES
 13 [Re: Docket No. 99]**

14 Upon the motion (the "Motion") of the above-captioned debtors and debtors in
 15 possession (the "Debtors"), pursuant to sections 105(a), 363(b) and 507(a)(8) of title 11 of the
 16 United States Code (the "Bankruptcy Code"), for an order authorizing the Debtors to pay certain
 17 prepetition sales and use taxes (the "Taxes") [Docket Number 99] in their sole discretion, and the
 18 Court having jurisdiction to consider the Motion and the relief sought therein pursuant to 28
 19 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a
 20 core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court
 21 pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been
 22 given; and it appearing that no other or further notice need be provided; and the Court having
 23 determined that the relief requested in the Motion being in the best interests of the Debtors and
 24 their respective estates and creditors; and the Court having determined that the legal and factual
 25

26 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany
 27 Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany
 Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow,
 LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Butcave, LP
 (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No.
 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-
 14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 bases set forth in the Motion establish just cause for the relief granted herein; and after due
2 deliberation and sufficient cause appearing therefore,

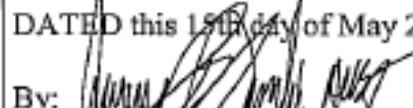
3 IT IS HEREBY ORDERED that the Motion is granted; and it is further
4 ORDERED that the Debtors are authorized, in their sole discretion, to pay all prepetition
5 Taxes that may be owing to the proper Taxing Authorities (the "Tax Payments") without further
6 order of the Court; provided that the Tax Payments are in accordance with the terms and
7 limitations imposed by the final stipulated order authorizing the use of the cash collateral
8 [Docket Number 126] (the "Stipulated Order"), as well as any limitations imposed pursuant to
9 any budget approved by the Stipulated Order; and it is further

10 ORDERED that nothing in the Motion or this Order shall be construed as impairing the
11 Debtors' right to contest the validity or amount of any Tax that may be due to any Taxing
12 Authority; and it is further

13 ORDERED that notwithstanding any applicability of Bankruptcy Rules 6003(b) and
14 6004(h), the terms and conditions of this Order shall be immediately effective and enforceable
15 upon its entry; and it is further

16 ORDERED that the Court retains jurisdiction to interpret and enforce this Order.

17 APPROVED AS TO FORM AND CONTENT:

18 DATED this 15th day of May 2009.


19 By: _____
20 UNITED STATES TRUSTEE
21 August Landis
22 Office of the United States Trustee
23 300 Las Vegas Blvd. S., Ste. 4300
Las Vegas, NV 89101

24 Submitted by:
25 DATED this 15th day of May 2009.

26 By: /s/ Zachariah Larson
27 LARSON & STEPHENS
Zachariah Larson, Esq. (NV Bar No 7787)
Kyle O. Stephens, Esq. (NV Bar No. 7928)
28 810 S. Casino Center Blvd., Ste. 104
Las Vegas, NV 89101

1 (702) 382-1170 (Telephone)
2 (702) 382-1169
zlarson@lslawnv.com
Proposed Attorney for Debtors

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Tel: (702) 382-1170 Fax: (702) 382-1169

LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101